

REMARKSIntroduction

16-19, 21, 22, 29-54, and 72-93 will be pending in the instant application after entry of the above claim amendments. This paper amends claims 17, 42, 48, and 52; cancels without prejudice or disclaimer claims 55-71, which were withdrawn from consideration; and adds new claims 72-93. Claims 16-19, 21, 22, 29, 30, 35, and 36 are the independent claims of the application.

In the Office Action dated November 21, 2007, the Examiner (1) allowed claims 16-19, 21, 22, and 29-35, and 37-54; (2) rejected claim 36 under 35 U.S.C. § 101 as being directed to non-statutory subject matter; and (3) withdrew claims 55-71 from consideration.

Applicants respectfully respond to the Final Office Action.

Allowed Claims

Applicants and the undersigned counsel gratefully acknowledge the notification of allowance of claims 16-19, 21, 22, and 29-35, and 37-54.

Claim Rejection

In rejecting independent claim 36 as being directed to non-statutory subject matter, the Office Action asserted that “Figure 2 in the Applicant’s specification teaches that a signal 210 is a computer readable media. Signals are non-statutory.” Applicants note that claim 36 is directed to computer readable media, not to signals as such. Computer readable media is patentable subject matter. *In re Beauregard*, 53 F.3d 1583, 35 U.S.P.Q.2d 1383 (Fed. Cir. 1995); *see* MPEP § 2106 (Examination Guidelines for Computer-Related Inventions). Applicants further note that item 210 in Figure 2 is an antenna. Application as filed, paragraphs [0034], [0037], [0041], [0048], and [0049]. Additionally, the Office Action does not address the specific language of claim 36 and therefore does not make a *prima facie* case for a rejection under 35 U.S.C. § 101. MPEP § 2106 (“The burden is on the USPTO to set forth a *prima facie* case of unpatentability.”)

At least for these reasons, Applicants respectfully submit that claim 36 is patentable and request withdrawal of the rejection.

Claim Amendments

Claim 17 has been amended to remove an occurrence of “eighth” in the recitation of the fourth cycle, in accordance with Table 2, Pattern Cycle 4 of the specification.

Claims 42, 48, and 52 have been amended to remove minor informalities.

Applicants submit that the amendments do not affect patentability of these claims.

New Claims

New claims 72-82 depend from the allowed claim 30. Moreover, the additional limitations of these dependent claims generally parallel those in some of the allowed claims 37-51. New claims 83-93 depend from the claim 36, with limitations similar to those of the allowed method claim 30. As discussed above, claim 36 should also be allowable. The additional limitations of claims 83-93 generally parallel those in some of the allowed claims 37-51. At least for these reasons, Applicants respectfully submit that new claims 72-93 are allowable.

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicant submits that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of the present application are respectfully requested. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

If it is determined that fees are due, the Commissioner is hereby authorized to charge payment of any fee(s) or any underpayment of fee(s) or credit any overpayment(s) to Deposit Account No. 17-0026. If necessary, applicant requests, under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above-identified application and to charge the fees for a large entity under 37 CFR 1.17(a).

Respectfully submitted,

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